

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **VICE CHAIRMAN JOHN ROSS** on January 19,  
2005 at 3:00 P.M., in Room 152 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Christopher Harris, Vice Chairman (D)  
Rep. John (Jack) W. Ross, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Norma Bixby (D)  
Rep. Dee L. Brown (R)  
Rep. Paul Clark (D)  
Rep. Sue Dickenson (D)  
Rep. George Everett (R)  
Rep. Kevin T. Furey (D)  
Rep. Gail Gutsche (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Rick Maedje (R)  
Rep. Veronica Small-Eastman (D)

**Members Excused:** Rep. Jim Peterson, Chairman (R)

**Members Absent:** Rep. Carol Lambert (R)  
Rep. David E. Wanzenried (D)

**Staff Present:** Joe Kolman, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 206, 1/14/2005  
Executive Action: HB 78, HB 185

**HEARING ON HB 206**

**Opening Statement by Sponsor:**

00:01:22        **REP. ART NOONAN (D), HD 73**, opened the hearing on  
HB 206, Revise controlled groundwater areas.  
**EXHIBIT (nah14a01)**

**Proponents' Testimony:**

00:04:22        Jack Stults, Administrator, Department of Natural  
Resources and Conservation

**EXHIBIT (nah14a02)**

**EXHIBIT (nah14a03)**

00:18:28        Dana Hupp, Fidelity Exploration & Production  
Company

00:19:10        Tim Davis, Montana Smart Growth Coalition

00:19:56        **CHAIRMAN PETERSON** arrived at meeting.

**Opponents' Testimony:**

00:20:11        Kathy Gallagher, Hydrogeologist, Summerfield  
Professional Services, Inc., Bozeman

**EXHIBIT (nah14a04)**

**EXHIBIT (nah14a05)**

**EXHIBIT (nah14a06)**

00:28:35        Michele Reinhart, Northern Plains Resource Council

00:30:26        Steve Kelly, Montana EcoSystems Defense Council,  
Bozeman

00:37:09        Delight Gollaher, Family and Ranching Interest

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:43:12        **REP. JOPEK**

00:47:02        **REP. DICKENSON**

00:50:23        **REP. FUREY**

00:52:43        **REP. BROWN**

00:55:46        **REP. GUTSCHE**

00:58:43        **REP. MAEDJE**

01:06:00        **REP. HARRIS**

01:09:49        **REP. EVERETT**

01:12:09        **REP. CLARK**

01:18:44        **REP. FUREY**

01:20:13        **REP. BARRETT**

**Closing by Sponsor:**

01:23:14        **REP. ART NOONAN (D), HD 73**, closed hearing on HB  
206.

01:26:46 break  
01:36:02 resume

01:36:02 Following committee break, **CHAIRMAN PETERSON** assumed chairmanship position.

**EXECUTIVE ACTION ON HB 78**

01:36:58 **Motion:** REP. GUTSCHE moved that HB 78 BE AMENDED.

**Discussion:**  
01:38:01 REP. HARRIS

01:38:54 **Vote:** Motion carried unanimously by voice vote.  
**EXHIBIT**(nah14a07)

01:39:14 **Motion:** REP. HARRIS moved that HB 78 DO PASS AS AMENDED.

**Discussion:**  
01:39:25 REP. BARRETT  
01:40:29 REP. MAEDJE  
01:41:08 Edward A. Thamke, Montana Department of Environmental Quality

01:42:13 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 185**

01:43:14 **Motion:** REP. HARRIS moved that HB 185 DO PASS.

01:43:56 **Motion:** REP. MAEDJE moved that HB 185 BE AMENDED.

**EXHIBIT**(nah14a08)

**Discussion:**  
01:44:14 REP. HARRIS  
01:44:31 REP. MAEDJE

01:45:12 **Vote:** Motion carried unanimously by voice vote.

01:45:26 **Motion:** REP. HARRIS moved that HB 185 DO PASS AS AMENDED.

**Discussion:**

01:45:37        REP. GUTSCHE  
01:46:50        REP. FUREY  
01:47:33        REP. HARRIS  
01:47:56        CHAIRMAN PETERSON  
01:48:11        REP. BARRETT  
01:48:30        REP. FUREY  
01:48:50        REP. DICKENSON

01:49:52        Vote: Motion carried 15-1 by voice vote with REP.  
BARRETT voting no.

**ADJOURNMENT**

01:50:28

Adjournment: 4:50 P.M.

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REP. JIM PETERSON, Chairman

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DEBRA POLHEMUS, Secretary

JP/DP

Additional Exhibits:

**EXHIBIT ([nah14aad0.TIF](#))**